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10/824,479	04/15/2004	Takashi Sakurazawa	251901US6	6488

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EXAMINER	
HERRERA, DIEGO D	

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/824,479	SAKURAZAWA, TAKASHI	
	Examiner	Art Unit	
	Diego Herrera	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) *2-4* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, and 5-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyle et al. (US patent 6138158), in view of Milford et al. (US publication 20030224781 A1), and further in view of Wolters et al. (US publication 20030143982 A1).

Regarding claim 1, Boyle et al. disclose a service providing system (Abstract) comprising:

a. A first server for providing a first service to a first terminal via a network (Abstract, Fig. 1, col. 5, lines: 10-15, the reference makes mention of first service and first terminal and first server as depicted in figure one); and

b. however, Boyle et al. does not discloses specifically a second server for providing a second service to a second terminal via said network, nevertheless, Milford et al. teaches the limitation of having more than one server providing services similar to request (Fig. 1, 4, 10, paragraph [0015], [0024], [0030], [0038], Milford teaches multiple users of different types mobiles and fixed communication devices etcetera, that access servers for applications and services through the use of the service broker); therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include a second server for providing a second service to a second terminal via said network as taught by Milford et al. for the purpose of benefit of use by the provisional users.

Wherein said first server includes:

i. First providing means for providing said first service to said first terminal (Fig. 1, col. 5, lines: 7-8, first means for providing service is via airnet {102} with an antenna {108} as depicted in figure 1); and

ii. however, Boyle et al. does not specifically discloses First transmitting means for transmitting provision information indicating that said first service has been provided by said first providing means to said second server, nevertheless, Milford et al teaches

second server and a service broker its relationship with the network (paragraph [0043], [0045], servers are shared by time division and by demand);

therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention to specifically include first transmitting means for transmitting provision information indicating that said first service has been provided by said first providing means to said second server, as taught by Milford et al. for the purposes of searching information related to request to be more versatile; and

Wherein said second server includes:

i. Detecting means for recognizing from said provision information transmitted from said first transmitting means of said first server that said first service has been provided (Fig. 1 & 2, col. 8, lines: 18-26, 33-67, col. 9, lines: 1-5; where the first service has been provided), However, Boyle et al. does not specifically discloses detecting said second service related to said first service, nevertheless, Milford et al. teaches limitation (Milford et al., paragraph [0044], teaches that it compares services asked and supplement with needs and alternative choices of services that may be provided),

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include detecting said second service related to said first service as taught by Milford et al. for the purpose to be more versatile.

However, Boyle et al. does not specifically discloses a second transmitting means for transmitting recommendation information for recommending said second

service detected by said detecting means to said first terminal, nonetheless, Wolters et al. teaches recommending said second service (Fig. 1-5, paragraph [0008]-[0009], [0016], [0018]-[0019], teaches the ability to recommend according to request but also location and other prior information received as a request from user);

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include second transmitting means for transmitting recommendation information for recommending said second service detected by said detecting means to said first terminal as taught by Wolters et al. for the purpose of being more efficient in categorizing request and related alternate choices.

iii. Registering means for registering said second service by said recommendation information and requested to be provided by said first terminal (Fig. 4 & 5, col. 9, lines: 43-60, as shown in the figures there are means where the mobile device is registered to a particular server which then sends updates on the information of interest that the mobile has desired to receive); and

iv. Second providing means for providing said second service registered by said registering means to said second terminal in response to a request from said second terminal (Fig. 1, as shown in the figure one, the second device {110} communicates to second server through internet or intranet {104} and connects with second server {112}. See also col. 8, lines: 20-25, where the second device is connected to second server that provides service through Internet or intranet).

Wherein the first terminal is a mobile terminal and the second terminal is a stationary terminal.

Canceled claim 2.

Canceled claim 3.

Canceled claim 4.

Consider claim 5, Boyle et al. and Milford et al. and Wolters et al. discloses an information processing apparatus for providing a first Service to a first terminal via a network (both reference teach service provided to first terminal via a network system, see fig. 1 and 2 of Milford et al. paragraph [0002], [0018] and Boyle et al. abstract, fig. 1, col. 6 lines: 25-26), said apparatus comprising:

a. Detecting means for recognizing that a second service has been provided from provision information indicating that said second service has been provided (Wolters et al. teaches receives service from service provider, fig. 4-5, paragraph [0019]), said provision information being transmitted from a server for providing said second service to a second terminal via said network (Milford et al. teaches providing said second service to a second terminal via said network, fig. 1,12,2, 4; paragraphs [0015], [0030]), and detecting said first service related to said second service (Wolters et al. teaches related services, Milford also teaches recommending alternative services paragraph [0015]);

b. Transmitting means for transmitting recommendation information for recommending said first service detected by said detecting means to said second terminal (Milford et al. teaches given first service and providing second service that is alternative or needed by user based on user [0015]-[0017], [0036]);

c. Registering means for registering said first service recommended by said recommendation information and requested to be provided by said second terminal (Milford et al. fig. 12 paragraph [0135], A originating party B terminating party); and

d. Providing means for providing said first service registered by said registering means to said first terminal in response to a request from said first terminal (Milford et al. paragraph [0135], A originating party B terminating party).

Wherein the first terminal is a mobile terminal and the second terminal is a stationary terminal (paragraph [0015], Milford et al. teaches that the devices used whether it be first terminal or second terminal the type is adjusted by service broker or manager).

Consider claim 6, and as applied to claim 5 above, Boyle et al. and Milford et al. and Wolters et al. shows and discloses further comprising aggregating means for obtaining an aggregate number of transfers of said provision information (col. 9, lines: 6-34, Boyle et al. teaches the storage of initial information that client has and then the adding or compiling or aggregating of update information back to the client by the server);

a. Wherein said providing means provides said first service to said first terminal according to an aggregate result by said aggregation means (Milford et al. teaches providing said second service to a second terminal via said network, fig. 1,12,2, 4;

paragraphs [0015], [0030]). Wherein the first terminal is a mobile terminal and the second terminal is a stationary terminal (paragraph [0015], Milford et al. teaches that the devices used whether it be first terminal or second terminal the type is adjusted by service broker or manager).

Consider claims 7 & 8, Boyle et al. and Milford et al. and Wolters et al. discloses and shows an information processing method for providing a first service to a first terminal via a network (Abstract, Fig. 1, col. 5, lines: 10-15, the reference makes mention of first service and first terminal and first server as depicted in figure 1), said method comprising:

a. A detecting step for recognizing that a second service has been provided from provision information indicating that said second service has been provided (col. 2, lines: 37-40, notification is sent out from server about updates the client then responds to the notification via a message therefore, detecting step. Also, col. 12, lines: 44-64, Boyle et al. explains how services are provided), said provision information being transmitted from a server for providing said second service to a second terminal via said network, and detecting said first service related to said second service (Wolters et al. teaches receives service from service provider, fig. 4-5, paragraph [0019]);

b. A transmitting step for transmitting recommendation information for recommending said first service detected by processing of said detecting step to said second terminal (Wolters et al. teaches receives service from service provider, fig. 4-5, paragraph [0019]);

c. A registering step for registering said first service recommended by said recommendation information and requested to be provided by said second terminal (Milford et al. teaches providing said second service to a second terminal via said network, fig. 1,12,2, 4; paragraphs [0015], [0030]); and

d. A providing step for providing said first service registered by processing of said registering step to said first terminal in response to a request from said first terminal (both reference teach service provided to first terminal via a network system, see fig. 1 and 2 of Milford et al. paragraph [0002], [0018] and Boyle et al. abstract, fig. 1, col. 6 lines: 25-26).

Wherein the first terminal is a mobile terminal and the second terminal is a stationary terminal (paragraph [0015], Milford et al. teaches that the devices used whether it be first terminal or second terminal the type is adjusted by service broker or manager).

(New) Regarding claim 9, Boyle et al. and Milford et al. and Wolters et al. discloses an information processing apparatus for providing a first service to a first terminal via a network (Abstract, Fig. 1, col. 5, lines: 10-15, the reference makes mention of first service and first terminal and first server as depicted in figure one), said apparatus comprising:

a. Receiver unit configured to receive provision information that indicates an offer of second service to second terminal from a second server (both reference teach service provided to first terminal via a network system, see fig. 1 and 2 of Milford et al. paragraph [0002], [0018] and Boyle et al. abstract, fig. 1, col. 6 lines: 25-26);

b. Detection unit configured to detect said first service related to said second service from the provision information (Wolters et al. teaches receives service from service provider, fig. 4-5, paragraph [0019]);

c. Transmitter unit configured to transmit recommendation information for recommending said first service detected by said detection unit to said second terminal (Fig. 1-5, paragraph [0008]-[0009], [0016], [0018]-[0019], Wolters et al. teaches the ability to recommend according to request but also location and other prior information received as a request from user);

d. Register unit configured to register said first service recommended by said recommendation information and requested to be provided by said second terminal (Milford et la. Fig 12 paragraph [0130]-[0140]); and said first terminal in response to a request from said first terminal (Fig. 1-5, paragraph [0008]-[0009], [0016], [0018]-[0019], Wolters et al. teaches the ability to recommend according to request but also location and other prior information received as a request from user),

Wherein the first terminal is a mobile terminal and the second terminal is a stationary terminal (paragraph [0015], Milford et al. teaches that the devices used whether it be first terminal or second terminal the type is adjusted by service broker or manager).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DH

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SUPERVISORY PRIMARY EXAMINER